



**U.S. DEPARTMENT OF TRANSPORTATION**  
FEDERAL HIGHWAY ADMINISTRATION  
CALIFORNIA DIVISION  
980 Ninth Street, Suite 400  
Sacramento, CA. 95814-2724  
February 27, 2003

IN REPLY REFER TO  
HDA-CA  
File #: 750  
Document #: S41737

Mr. Jeff Morales, Director  
California Department of Transportation  
1120 N Street  
Sacramento, California 95814

Attention: Federal Resources Branch, Room 3500  
For Randy Steen

Dear Mr. Morales:

SUBJECT: Emergency Relief (CA03-1) Notice Of Intent

This letter is to acknowledge receipt of your letter of intent dated February 24, 2003 to request Emergency Relief (ER) funds, authorized under Sections 120 and 125 of Title 23, U.S. Code, for the repair of damage to Federal-aid highways. We acknowledge the Governors Proclamation that indicates December 12, 2002 as the initial date of the storm event (Federal ER disaster number CA03-1). Region-wide storms, that continued from December through February, caused transportation infrastructure damage within the following counties: Alameda, Contra Costa, Colusa, Del Norte, Humboldt, Lake, Marin, Mendocino, Napa, Santa Clara, Santa Cruz, San Mateo, Solano, Sonoma and Trinity.

You should proceed with performance of the emergency operations, including emergency repairs, necessary on the Federal-aid highways to restore essential travel, to protect the remaining facilities, to reduce the extent of damage, to begin preliminary engineering comprising surveys, design, and preparation of construction plans, to perform the permanent restoration work required as an associated part of the emergency operations, and to use State forces and/or negotiated equipment rental contracts, as necessary, to perform the work. All Emergency repairs accomplished within 180 days from December 12, 2002, to restore essential travel, to minimize the extent of damage or to protect the remaining facilities may be reimbursed at 100 percent Federal share.

The eligibility of such work to be reimbursed utilizing ER funds will be contingent upon a favorable finding by the Federal Highway Administrator, on the eligibility of the disaster. The basis for the Administrator's decision will be a field report from this office with estimates of cost to repair and reconstruct the damaged Federal-aid highways and evidence of the widespread extent and intensity of the disaster.

We will be meeting with members of your staff to make arrangements for reviewing the disaster damage and preparing the field report. The field report is to be submitted to our office within

three weeks, if possible. If additional time is required, please advise. If the Administrator concurs in the disaster, all emergency work must be included in an emergency program. The program, when submitted for approval, shall include a detailed listing, including preliminary cost estimates, of the necessary emergency operations identified as emergency opening (EO) and permanent restoration (PR) work.

FHWA representatives will be involved in field reviews and preparation of Damage Assessment Forms (DAFs) for projects not subject to the October 19, 1998 revised ER Program Delegation (See Attachment, Groupwise S#21252). In an effort to determine the extent of our involvement, we request that you expeditiously work with the affected local agencies to identify and prepare a District by District listing of sites meeting the four criteria listed in the ER Program Delegation, prior to individual field review and completion of the DAF.

Permanent Restoration (PR) work other than that performed as an incidental part of the Emergency Opening (EO), shall not be performed prior to program approval and authorization by this office. For all sites individually identified as potentially eligible for Federal ER reimbursement, recordkeeping should be adequate to permit audit of costs on a site-by-site basis. If there are questions, please contact Scott McHenry, Program Coordinator, at (916) 498-5854, or [scott\\_mchenry@fhwa.dot.gov](mailto:scott_mchenry@fhwa.dot.gov).

Sincerely,

A handwritten signature in black ink, appearing to read "Gary N. Hamby", written in a cursive style.

For  
Gary N. Hamby  
Division Administrator

Enclosure (Groupwise, S#21252)



**U.S. DEPARTMENT OF TRANSPORTATION**

FEDERAL HIGHWAY ADMINISTRATION

CALIFORNIA DIVISION

980 Ninth Street, Suite 400

Sacramento, CA 95814-2724

October 19, 1998

IN REPLY REFER TO

HPD-CA

File #:750.1

Document #: 21252

Mr. James W. van Loben Sels, Director  
CALTRANS, 1120 N Street  
Sacramento, California 95814

Attention: Federal Resources Branch, Room 3500  
for Mr. Alan Glen

Dear Mr. van Loben Sels:

**SUBJECT: ER PROGRAM - REVISED DELEGATION FOR SITE REVIEWS**

We appreciate the leadership and initiative Caltrans has taken with the January 15, 1997 delegation to prepare and approve some of the Damage Assessment Forms (DAF) for the Emergency Relief (ER) Program. This delegation has been in force for the two large disasters recently encountered in California - the statewide flooding in 1997 (CA97-1) and the statewide El Niño storms of 1998 (CA98-1). The success of this delegation is attributed to the strong role Caltrans Local Assistance has always had in the ER program, and the willingness to assume the ER delegation.

As we indicated at that time, the ER delegation was subject to revision as both our agencies gain experience with its use. The consensus of a meeting and subsequent communication between our staffs was that more delegations are in order to further maximize the efficiency of getting DAFs done quickly. Specifically, sites over \$100,000 and sites involving only a minor R/W activity were seen as areas Caltrans could be assigned more delegation.

Accordingly, and effective for disasters declared after this date, the ER delegations are revised for Caltrans to conduct site reviews and preparation of DAFs for all local streets and roads (without a cost threshold) except for sites where:

Resurfacing is involved (exceed 50% of project cost)

Significant R/W actions are involved such as:

- relocations of residents or businesses
- partial takes which affect current use of property
- full acquisitions
- partial takes exceeding 25% of a parcel
- involvement of more than 2 parcels

Betterments are involved

Environmental document exceeds a categorical exclusion

The last criterion, "environmental document exceeds a categorical exclusion," is for determining FHWA participation in the site review and does not delegate environmental clearance authority. FHWA will still be required to approve a Categorical Exclusion (CE) when the programmatic CE conditions do not apply.

As with the original delegation, this delegation to Caltrans is given with the understanding that it cannot be redelegated to the local agencies. Also, it should be understood that this delegation to Caltrans continues to not include sites on State Highways; FHWA representatives will continue to review these sites and sign DAFs for them.

This delegation does not mandatorily preclude FHWA involvement in site review and DAF preparation. You may request FHWA personnel involvement when technical assistance is needed or when it would be significantly more timely for Caltrans/local agency personnel to arrange a separate review for a delegated site or sites.

Sincerely,

*Original signed by Bradley Keazer*

For  
Jeffrey A. Lindley  
Division Administrator

Concur: \_\_\_\_\_

California Department of Transportation

Date

ROkinaga

cc:

Mel Aros, Caltrans Local Assistance  
Dick Petrie, Caltrans Budgets  
John Schultz, HA-CA  
Glenn Clinton, HB-CA